

## ARTICLE 1. ADMINISTRATION

### R4-23-110. Definitions

In addition to definitions in A.R.S. § 32-1901, the following definitions apply to 4 A.A.C. 23:

"Medical practitioner-patient relationship" means that before prescribing, dispensing, or administering a prescription-only drug, prescription-only device, or controlled substance to a person, a medical practitioner, as defined in A.R.S. § 32-1901, shall first conduct a physical examination of that person or have previously conducted a physical examination.

This subdivision does not apply to:

A medical practitioner who provides temporary patient supervision on behalf of the patient's regular treating medical practitioner;

Emergency medical situations as defined in A.R.S. § 41-1831;

Prescriptions written to prepare a patient for a medical examination; or

Prescriptions written, prescription-only drugs, prescription-only devices, or controlled substances issued for use by a county or tribal public health department for immunization programs, emergency treatment, in response to an infectious disease investigation, public health emergency, infectious disease outbreak or act of bioterrorism. For purposes of this item, "bioterrorism" has the same meaning as in A.R.S. § 36-781.

## ARTICLE 4. PROFESSIONAL PRACTICES

### R4-23-404. Unethical Practices

A. No change

1. No change

2. No change

a. No change

b. No change

B. No change

1. No change

2. No change

C. No change

D. No change

1. No change

2. No change

3. No change

E. No change

1. No change

2. No change

3. No change

**F.** Drugs dispensed in the course of the conduct of a business of dispensing drugs through diagnosis by mail or the Internet.

1. A pharmacist shall not dispense a drug from a prescription order if the pharmacist has knowledge, or reasonably should know under the circumstances, that the prescription order was issued on the basis of an Internet-based questionnaire or an Internet-based consultation without a medical practitioner-patient relationship as defined in R4-23-

110.

2. A pharmacist who dispenses a prescription-only drug, prescription-only device, or controlled substance in violation of this Section is engaging in unethical conduct in violation of A.R.S. § 32-1901.01.